



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

September 15, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Oakland Plan Amendment
DLCD File Number 001-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: September 29, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
John Renz, DLCD Regional Representative
Elainna Carter, City of Oakland

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2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DEPT OF

SEP 11 2006

**LAND CONSERVATION
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: City of Oakland, Or Local file number: Z-06-15
Date of Adoption: Sept 5, 2006 Date Mailed: Sept 8, 2006
Date original Notice of Proposed Amendment was mailed to DLCD: _____

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
the land use zoning designation of property
507 NE First St, in the city of Oakland
is changed from C-1 Commercial to
R-1/3 low density residential.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME".
If you did not give Notice for the Proposed Amendment, write "N/A".
same

Plan Map Changed from: commercial to: residential
Zone Map Changed from: C-1 Commercial to: R 1/3 low density residential
Location: 507 NE First St, Oakland, Or Acres Involved: 0.21
Specify Density: Previous: commercial New: low density residential

Applicable Statewide Planning Goals: _____
Was an Exception Adopted? YES NO

DLCD File No.: 001-06
(15114)

DEPT OF

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

SEP 11 2007

- Forty-five (45) days prior to first evidentiary hearing? Yes No
- If no, do the statewide planning goals apply? Yes No
- If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: Elainna Carter - City Clerk Phone: (541) 459 4531 Extension: _____
 Address: 637 NE Locust ST City: Oakland
 Zip Code + 4: 97462 Email Address: oaklandcityclerk@qwest.net

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

**CITY OF OAKLAND
RESOLUTION 443**

**A RESOLUTION AUTHORIZING A ZONE CHANGE FOR
PROPERTY LOCATED AT 507 NE FIRST STREET FROM C-1
GENERAL COMMERCIAL TO R-1/B LOW DENSITY
RESIDENTIAL.**

WHEREAS, Shane Grimes and Don Grimes, as Applicants, have filed a Petition, pursuant to the provisions of the Oakland Zoning Ordinance (Ord. 499), for a change in the land use zoning designation of their property located at 507 NE First Street from Zone C-1 General Commercial to Zone R-1 Low Density Residential; and,

WHEREAS, the Oakland Planning Commission, upon its review of the applicable criteria, found the Applicants' requested zone change to be consistent with and promotional of (1) the objectives of the City's acknowledged Comprehensive Plan and other adopted policies and goals of the City; (2) the objectives of the Oakland Zoning Ordinance and other City Ordinances; and, (3) Oregon's Statewide Planning Goals; and,

WHEREAS, upon the Applicant's specific request, the Oakland Planning Commission, by its affirmative and unanimous vote, recommended to this Council that the requested zone change be approved and given full force and effect; and,

WHEREAS, this Council, upon a duly noticed hearing pursuant to the procedures prescribed by the Oakland Zoning Ordinance and applicable state statutes, has approved and adopted the Findings of Fact and Decision of the Oakland Planning Commission in this matter as the Council's own Findings of Fact and Decision; and,

WHEREAS, appearing to this Council that there are no substantive or procedural impediments to giving the Applicant's requested Zone Change full force and effect;

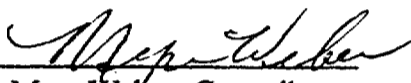
**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY
OF OAKLAND HEREBY RESOLVES AS FOLLOWS:**

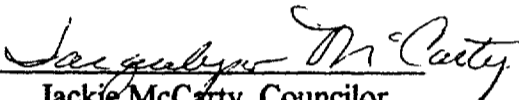
- 1. The Land Use Zoning Designation of that certain property, located at and commonly known as 507 N.E. First Street, in the City of Oakland, shall be and is hereby changed from C-1 Commercial to R-1/B Low Density Residential. The City Clerk shall make such appropriate notations and changes to the City's Zoning Map and Future Land Use Map as are necessary to effectuate said redesignation.**

2. **Notwithstanding this change in Land Use Zone Designation, said property at 507 N.E. First Street, in the City of Oakland, shall retain its current designation as lying within the City's Historical Overlay Zone, and the property shall remain subject to the requirements of the Oakland City Ordinance No. 456 (Historic Preservation Ordinance) as amended.**

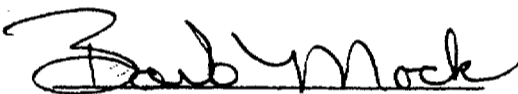
SO RESOLVED by the Common Council this 5th day of September, 2006.

APPROVED by:


Myra Weber, Councilor


Jackie McCarty, Councilor

ATTEST:


Barb Mock, City Recorder